

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

ABELL DIEUDONNE,

Petitioner,

vs.

WARDEN NEVENS, et al.,

Respondents.

Case No. 2:13-cv-01395-GMN-CWH

ORDER

The court ordered (#6) petitioner to pay the filing fee. Petitioner has not paid the fee within the allotted time. The court will dismiss the action.

Reasonable jurists would not find the court's conclusion to be debatable or wrong, and the court will not issue a certificate of appealability.

IT IS THEREFORE ORDERED that this action is **DISMISSED without prejudice** for petitioner's failure to pay the filing fee. The Clerk of the Court shall enter judgment accordingly.

IT IS FURTHER ORDERED that a Certificate of Appealability is **DENIED**.

IT IS FURTHER ORDERED that petitioner's motion for appointment of counsel (#2) is **DENIED as moot**.

DATED this 3rd day of December, 2013.



Gloria M. Navarro
United States District Judge